

HOUSE No. 2653

By Mr. Kafka of Sharon, petition of Louis L. Kafka relative to the prescription of needles and syringes. Public Health.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT RELATIVE TO THE PRESCRIPTION OF NEEDLES AND SYRINGES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 19 of chapter 94C of the General Laws, as appearing in
2 the 2000 Official Edition, is hereby amended after subdivision (a)
3 by adding the following:

4 Notwithstanding any general or special law to the contrary, no
5 civil or criminal liability shall extend to any physician prescribing
6 hypodermic syringes, needles and other objects used, or primarily
7 intended for use in parenterally injected controlled substances into
8 the human body, to patients who inject controlled substances as
9 defined by this chapter, provided that said prescription is for legit-
10 imate medical purpose. The prevention of the contraction of dis-
11 eases such as AIDS, HIV, and hepatitis B and C by the disuse of
12 contaminated hypodermic syringes, needles and other objects by
13 patients who inject controlled substances in violation of this
14 chapter shall be considered a legitimate medical purpose under
15 this section.